HALL COUNTY BOARD OF SUPERVISORS MEETING FEBRUARY 7, 2006

The Hall County Board of Supervisors met February 7, 2006, by published call in the county board meeting room, 121 South Pine, Grand Island.

CALL TO ORDER - The meeting was called to order by Chairman James Eriksen.

INVOCATION - Invocation was given by Chairman Eriksen.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was given in unison.

ROLL CALL - Present on roll call were, Scott Arnold Jim Eriksen, Richard Hartman, Bob Humiston, Bud Jeffries, Pamela Lancaster and Robert Rye. Also present was a representative from the *Grand Island Independent* and Deputy County Attorney Michelle Oldham.

CONSENT AGENDA – Lancaster made a motion and Jeffries seconded to approve the following by consent agenda:

- 1. Accept and place on file the minutes of the January 24 meeting
- 2. 5a Authorize the chair to sign the contract with Diamond Engineering for the box culverts for Rainforth Road
- 3. 15 a Approve the final plat and Resolution #06-006 for Logans Subdivison
- 4. 15b Approve the final plat and Resolution #06-007 for Alberts Subdivision
- 5. 16a Approve the bi weekly pay claims
- 6. 16b Approve the early claim to DLR Architects in the amount of \$44,415.00 and authorize the clerk to pay.
- 7. 23 Accept and place on file the office reports from the County Clerk, Hall & Howard County Juvenile Services and County Court
- 8. 24 Accept and place on file the Hall County Treasurer's Miscellaneous Receipts
- 9. 25 Accept and place on file communications as received

Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

OFFICE REPORT HALL COUNTY CLERK JANUARY 2006

TITLE FEES STATE	\$ 12,952.50
TITLE FEES COUNTY	\$ 6,720.50
RECORDING FEES	\$ 25.00
MARRIAGE LICENSES	\$ 285.00
PHOTO FEES/FAX FEES & MISC.	\$ 4.00
PLAT BOOKS/OTHER	\$ 81.00
CERTIFIED COPIES MARRIAGE LICENSES	\$ 130.00
CCERTIFIED COPIES MV	\$ 13,50
TIME CARD FEES	\$ 15.00
TOTAL	\$ 20,226.50

HALL COUNTY JUVENILE SERVICES JANUARY 2006

JUVENILE REFERRALS
JUVENILE OFFENDERS
JUVENILE HOUSE ARREST
TOTAL UNDER SUPERVISION
FEES COLLECTED

40 JUVENILES
3 JUVENILES
225 JUVENILES
5741.00

OFFICE REPORT HOWARD COUNTY JUVENILE SERVICES JANUARY 2006

JUVENILE REFERRALS	3 JUVENILES
TOTAL JUVENILE ENROLLEES	21 JUVENILES
FEES COLLECTED FOR MONTH	\$ 155.00
TOTAL FEES COLLECTED FISCAL YEAR	\$1,255.00

OFFICE REPORT COUNTY COURT JANUARY 2006

FINES (CO.)	\$ 63,085.99
OVERLOAD FINES	850.00
REIMBURSE SHERIFF FEES	1,704.35
WORK RELEASE FEES	1,410.00
REIMBURSE FAX COPIES	24.50
FINES (CITY)	8,416.50
REIMBURSE WITNESS FEES	8,661.20
BOND FORFEITURES	12,991.20
REIMBURSE CO. FEES	299.99
TOTAL	\$89,521.79

RESOLUTION #06-

A RESOLUTION APPROVING A SUBDIVISION OF A TRACT OF PROPERTY LOCATED IN THE SOUTHEAST QUARTER (SE 1/4) OF SECTION THIRTY-FOUR (34) OF TOWNSHIP ELEVEN (11) NORTH, RANGE NINE (9) WEST OF THE 6th P.M., HALL COUNTY, NEBRASKA TO BE KNOWN AS LOGAN'S SUBDIVISION

WHEREAS, Helen E. Schimmer and the Central Platte Natural Resources District, herreinafter referred to as "Subdivider," is the owner of a tract of land located in the SOUTHEAST QUARTER (SE 1/4) OF SECTION THIRTY-FOUR (34) OF TOWNSHIP ELEVEN (11) NORTH, RANGE NINE (9) WEST OF THE 6th P.M., HALL COUNTY, West of the 6th p.m., Hall County, Nebraska; and

WHEREAS, the aforesaid tract is located within the zoning jurisdiction of the City of Grand Island, and

WHEREAS, Subdivider desires to petition the Regional Planning Commission and the City Of Grand Island, to approve a subdivision his property; and

WHEREAS, the aforesaid tract is located within the zoning jurisdiction of the City Of Grand Island, but outside of the corporate limits and not being platted as an addition, and

WHEREAS, the proposed subdivision meets the requirements for a legal subdivision, and

WHEREAS, the Regional Planning Commission has recommended approval of this subdivision, and

WHEREAS, property owner has agreed to dedicate the necessary easements and road right of way,

NOW BE IT RESOLVED that the Hall County Board of Supervisors consents to and approves of the subdivision of the above-described tract of land owned by the Subdivider hereafter known as Logan's Subdivision.

Resolution moved by Sup	ervisor
Seconded by Supervisor _	
Vote:	
Supervisor: Arnold	For; Against; Abstained; Not Present
Supervisor: Eriksen	For; Against; Abstained; Not Present
Supervisor: Hartman	For; Against; Abstained; Not Present
Supervisor: Humiston	For; Against; Abstained; Not Present
Supervisor: Jeffries	For; Against; Abstained; Not Present
Supervisor: Lancaster	For; Against; Abstained; Not Present
Supervisor: Rve	For : Against : Abstained : Not Present

PASSED AND ADOPTED THIS I	DAY OF, 2006.
	HALL COUNTY BOARD OF SUPERVISORS
	Jim Eriksen, Chairman of the Board of Supervisors
Marla J. Conley, Hall County Clerk	
Prepared by:	

Deputy Hall County Attorney

RESOLUTION #06-____

A RESOLUTION APPROVING THE FINAL PLAT OF ALBERTS SUBDIVISION LOCATED IN NORTHWEST QUARTER (NW 1/4) OF SECTION TWENTY-TWO (22), TOWNSHIP NINE (09) NORTH, RANGE TWELVE (12) WEST OF THE 6TH PM IN HALL COUNTY, NEBRASKA

WHEREAS, Doris M. Alberts, a Widow, hereinafter referred to as the "Subdivider," filed an application for approval of the final plat of Alberts Subdivision, a proposed subdivision of Northwest Quarter (NW 1/4) Of Section Twenty-Two (22), Township Nine (09) North, Range Twelve (12)West Of The 6TH PM, Hall County, Nebraska; and

WHEREAS, the above-described real estate is located in an unincorporated area of Hall County and is not within an area over which a city or village exercises extraterritorial zoning jurisdiction; and

WHEREAS, on February 1, 2006 the Grand Island-Hall County Regional Planning Commission considered said final plat at its regular meeting and recommended approval; and

WHEREAS, the County Board of Supervisors of Hall County held a meeting and considered said final plat on February 7, 2006, upon publication of notice of the same in the Grand Island Independent, a legal newspaper in the county.

RESOLVED, upon review of the final plat and consideration of the recommendations of the Regional Planning Commission, the report of the County Highway Superintendent, and the evidence, testimony, and comments received, the Board finds that the plat has been prepared in compliance with the Hall County Subdivision Regulations and such final plat of Alberts Subdivision should be and is hereby approved. Dedication of the streets, roads and public easements depicted thereon are hereby approved and accepted.

Resolution moved by Supervisor				
Seconded by Supervisor _	.			
Vote:				
Supervisor Arnold:	For; Against; Abstained; Not Present			
Supervisor Eriksen:	For; Against; Abstained; Not Present			
Supervisor Hartman:	For; Against; Abstained; Not Present			
Supervisor Humiston:	For; Against; Abstained; Not Present			
Supervisor Jeffries:	For; Against; Abstained; Not Present			
Supervisor Lancaster	For; Against; Abstained; Not Present			
Supervisor Rve:	For : Against : Abstained : Not Present .			

	PASSED AND ADOPTED THIS	DAY OF,
2006.		
		HALL COUNTY BOARD OF SUPERVISORS
		Jim Eriksen, Chairman of the Board of Supervisors
—— Marla	J. Conley, Hall County Clerk	<u> </u>

COUNTY ATTORNEY 2A DISCUSS AND AUTHORIZE CHAIR TO SIGN AGREEMENT WITH REGION III FOR SERVICES UNDER THE MENTAL HEALTH COMMITMENT ACT – Deputy County Attorney Michelle Oldham was present this agreement was sent to her by the Clerk of the District Court. It is an annual agreement with Region III to provide mental health board commitments. There was a minimal increase in the cost over last year.

Hartman made a motion and Arnold seconded to authorize the chair to sign the agreement with Region III. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

2b DISCUSSION AND POSSIBLE ACTION REGARDING INTERLOCAL AGREEMENT TO PARTICIPATE IN THE SOUTH CENTRAL ECONOMIC DEVELOPMENT DISTRICT Ms. Oldham stated that the board approved a resolution to participate in the South Central Economic district but there was not a completed interlocal agreement only a draft. She has received a copy of the interlocal agreement and the by-laws and has brought it forward for the board to sign.

Lancaster made a motion and Rye seconded to authorize the Chair to sign the interlocal agreement to participate in the South Central Economic Development District.

Jefferies questioned if the \$5,000.00 fee that the county is charged would be better spent in Grand Island? He stated that he would rather support Hall County. Lancaster stated that this will allow the group to participate in grants that may be available. Hartman noted that Mr. Fergusson stated that this would be important to the Grand Island economic development.

Deputy County Attorney Michelle Oldham noted that the county can withdraw with a 30 day notice and that the City of Grand Island has also signed off on this.

Chairman Eriksen noted that Southern Public Power District has committed \$1,000.00 per county to the group.

The vote on the motion to authorize the char to sign the interlocal agreement was taken. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

2c AUTHORIZE THE CHAIR TO SIGN AGREEMENT WITH MAXIMUS – Ms. Oldham stated that this agreement help with the federal reimbursements for child support. The new agreement included a limitation of liability paragraph and she talked to their counsel and the limitation of liability has now been change to 20 times the annual cost.

Lancaster made a motion and Hartman seconded to authorize the Chair to sign the agreement with Maximus. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

2d DISCUSS AND TAKE ACTION ON RESOLUTION REGARDING ASSESSMENT OF FEES FOR LIQUOR LICENSE AND PERMITS – Ms Oldham stated that the County Clerk's Office brought this to her attention. The original resolution was approved in 1988 and was outdated. The fees that are to be collected will be set as it states in the statutes, so if the fees change it will not be necessary to change the resolution.

Lancaster made a motion and Arnold seconded to approve Resolution #06-009 ALLOWING THE COUNTY BOARD TO RECEIVE LIQUOR LICENSES AND PERMITS.

Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

2e REVIEW AND APPROVE LEOP RESOLUTION – This is the Local Emergency Operations Plan that they have been working on. Once this is signed the entire document will go the state and a final copy will be sent back. Ms. Oldham stated that she has worked with Emergency Management Director Lela Lowry to complete this.

Hartman made a motion and Arnold seconded to approve Resolution #06-010 APPROVE THE HALL COUNTY LOCAL EMERGENCY OPERATIONS PLAN. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

2f DISCUSS AND AUTHORIZE CHAIR TO SIGN RX AGREEMENT – Ms. Oldham stated that this was referred to the insurance committee and Mid America was contacted regarding the agreement. This is the current RX plan that is in place. She stated that she has also reviewed it.

Lancaster made a motion and Humiston seconded to authorize the chair to sign the RX agreement. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

2g DISCUSSION AND POSSIBLE ACTION ON UPDATED INTERLOCAL AGREEMENT FOR LAW ENFORCEMENT RECORDS MANAGEMENT – Ms. Oldham stated that this is the interlocal agreement for the Spillman system. The committee has met and on page 4 the advisory committee members are listed. The committee decided that the Emergency Management Director would be added to the committee and also the County IT Director, and then there would be an equal number of representatives from the City and County.

Lancaster made a motion and Lancaster seconded to approve the agreement and to authorize the chair to sign. Humiston stated that this also renews the agreement. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

2h DISCUSS AND TAKE ACTION ON RESOLUTION SETTING THE SITE FOR HALL COUNTY JAIL – This establishes the site for the jail. Lancaster made a motion and Jeffries seconded to approve Resolution #06 011 A RESOLUTION SETTING THE SITE FOR THE HALL COUNTY JAIL - Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

2i DISCUSS AND TAKE ACTION ON AMENDMENT TO SCHEMATIC DESIGN DOCUMENT FOR HALL COUNTY JAIL - Ms. Oldham stated that the document stated that the county would need to file a conditional use permit but after research it was determined that the county is n entity that has the power of eminent domain and is not bound by county zoning regulations so the amendment was prepared to change the document.

Jeffries made a motion and Lancaster seconded to change the language relative to the zoning regulations. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

EXECUTIVE SESSION DISCUSSION ON TERC CASES – Ms. Oldham stated that she did not receive the offer so this can be tabled for two weeks.

PUBLIC PARTICIPATION – Chairman Eriksen called for public participation. Dennis Jarecke was present. He is running for District #34.

10 DISCUSS AND TAKE ACTION ON SCHEMATIC DESIGN DOCUMENT FOR THE HALL COUNTY JAIL – Lancaster stated that the board has a copy of the design. After reviewing the design they were able to increase the number of beds to 300 without and additional cost. The committee reviewed the floor design and DLR will make a presentation to the Board on February 21.

Lancaster made a motion and Humiston seconded to approve the schematic design with the amendment that was approved.

Jeffries stated that they had talked to the architects in length on the building but he expressed concern on the design of the parking lots and the fact that they were asphalt and on concrete. Arnold stated that this is a valid point. Lancaster stated that this is a matter of cost and if this is important to the board they can make those adjustments. She stated she could amend the motion. The county could use dollars from the inheritance fund to address the parking areas. Lancaster withdrew her motion.

Lancaster made a motion and Arnold seconded to approve the schematic design of the building. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Jeffries stated that they discussed the plans for two hours but the parking lots were not addressed so he thought he would address this today. Jeffries made a motion and Arnold seconded to amend the design and change the parking lost from asphalt to concrete.

Stacey Ruzicka noted that in the letter addressing the schematic design the board has the option to make changes. Discussion was held and it was suggested that an amendment be prepared for this change.

The vote on the motion was taken. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Jeffries made a motion and Arnold seconded to approve the schematic design with the amendment. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

4 DISCUSS AND TAKE ACTION ON LEGAL REPRESENTATION FOR UNION NEGOTIATIONS – The committee is recommending to contract with Jerry Janulewicz

for the legal representation for the union negotiations. Jerry Pigsley would continue the negotiations with the corrections union but Mr. Janulewicz would negotiate with the F.O.P., Public Works Union and Public Defender's Union.

Lancaster made a motion and Jeffries seconded to hire Jerry Janulewicz for legal representation.

Arnold stated that the old contract with the UFCW will have to be settled then they can begin negotiations for the new contract.

Hartman questioned why they wanted to hire outside counsel when the county attorney used to do this. Arnold noted that it is hard to negotiate a contract when they have to work with these people on a daily basis.

Arnold, Eriksen, Humiston, Jeffries, Lancaster and Rye all voted yes and Hartman voted no. Motion carried.

Held a board of equalization meeting.

5 b. PUBLIC WORKS COMMITTEE RECOMMENDATION ALTERNATIVE FUEL POLICY – County Surveyor Casey Sherlock and Ron Oschner with the Sheriff's office were present. The committee met regarding the use of the alternative fuel. Mr. Sherlock stated tat there are some positives and negative issues. There could be an increased cost of 2 cents per gallon if the additives have to be added. He stated he would like some time to assess how the vehicles perform on the alternative fuels and also to assess what the additional costs might be. Mr. Oschner noted that they had some problems with vapor lock when it was hot outside. He stated that he would like to phase this in and address the changes that may need to be made.

Arnold stated that the committee recommended using the bio diesel and ethanol as alternative fuel. There may be some expense involved and those dollars are not budgeted at this time. Hartman expressed concern that this is an agricultural area and with the proposed ethanol plant the county should support this.

Mr. Sherlock stated that he has started using the alternative fuel. The city passed a resolution in 1993 to use it and they have now converted over. He would like 6 months to phase this in.

Lancaster stated that the county needs to make a plan to move toward the use of the alternative fuels. We can't encourage ethanol plants and then not use the products

Jeffries made a motion to use the alternative fuels and come back in 90 days with a recommendation. No second motion failed. Discussion was held.

Arnold made a motion and Lancaster seconded to request that Hall County use the alternative fuels where possible and direct he people responsible for fuel purchases bring back information on the budgetary impact, so this can be addressed for the next budget year. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

6 DISCUSS AND TAKE ACTION ON COMMITTEE ASSIGNMENTS – Eriksen handed out a copy of the proposed committee assignments and the only change was to add Bob Humiston to the audit committee. Two committees have 4 members on them... Hartman made a motion and rye seconded to approve the committee assignments. Arnold,

Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

7 DISCUSS AND TAKE ACTION ON LEGISLATIVE BILLS – Stacey Ruzicka included a packet of information regarding the legislation. LR272CA is a constitutional amendment regarding TIF financing there was a lot of discussion and this will be consolidated into one bill.

LB 893 this is the bill that Hall County introduced the hearing was held January 26 with the revenue committee and it was indefinitely postponed.

LB 1015 the bill regarding the jail reimbursement will be heard February 8. Discussion was held.

Lancaster made a motion and Arnold seconded to authorize the Chair to work with Stacey to send a letter of support for the jail reimbursement bill.

Discussion was held if the board needs to authorize the Chair to sign the letter and Michelle Oldham stated that if the letter is sent from the board they need to have the authorization.

The vote on the motion to send the letter was taken. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

8 DISCUSSION AND POSSIBLE ACTION REGARDING SMOKING ISSUES IN SALLY PORT AT HALL COUNTY JAIL – The County board received a letter from the Central District Health Department regarding this issue. One complaint was filed regarding this issue. Jerry Pigsley reviewed the union contracts and stated that in his opinion there would be nothing to prevent the board to pass a resolution to prevent smoking in this are of the jail.

In past it was agreed that smoking would be allowed because the corrections officers cannot lave the secured premises during an 8 hour shift. The sally port does not have an adequate ventilation or disposal system. Arnold suggested that some simple modifications could be made to follow the rules. He suggested referring this to the corrections steering committee.

Arnold made a motion and Lancaster seconded to refer this to the corrections steering committee. They can apply for a waiver and a hearing would be held to address this. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

- 9. DISCUSSION AND POSSILBE ACTION REGARDING DIECTOR OF COUNTY FACILITIES POSITION Jeffries stated that the committee is in the process of selecting candidates for the final interviews he suggested setting a date and time for the interviews. Discussion as held and it was decided to hold a special meeting February 16 at 6:00 p.m. for the interviews.
- 11 DISCUSS AND TAKE ACTION ON RESOLUTION AUTHORIZING THE REIMBURSEMENT OF EXPENDITURES FROM THE INHERITANCE FUND WITH THE JAIL BOND PROCEEDS. This resolution will transfer funds from the inheritance fund in the amount of \$455,000.00 and the reimbursement to the inheritance fund will be from the bond proceeds.

Lancaster made a motion and Jeffries seconded to approve Resolution 06-0012 TO AUTHORIZE THE REIMBURSEMENT OF EXPENDITURES FROM THE INHERITANCE FUND WITH THE BOND PROCEEDS. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

12. DISCUSS AND TAKE ACTION ON RESOLUTION AUTHORIZING THE SALE OF THE COUNTY'S GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$22,225,000.00 – Dan Smith with Kirkpatrick Pettis was present. This resolution will authorize them to proceed with the mechanics of the sale of the bonds and continue discussion with the rating agency. They should have the rating by next week and once they have this they will be able to get a quote on the bond insurance. They will establish a selling group of brokers in the Grand Island area and then advertise the bonds for sale. They will then broaden the distribution of the bonds and report back to the County Board at the March 7th meeting. He thinks they should be able to get a 4.75% interest rate. They still need the 2005 audit but they are on tract and with the sale of the bonds there should be adequate amount of money for the construction of the new facility and the remodel of the old facility. Michelle Oldham has reviewed the resolution.

Lancaster made a motion and Humiston seconded to approve RESOLUTION #06 0008 A RESOLUTION AUTHORIZING THE SALE OF THE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$22,225,000.00. AND AUTHORIZE THE Chair to sign all other documents. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

26 BOARD MEMBER'S REPORTS – Hartman – He attended the meting in Loup City and the building and grounds committee meeting.

Humiston – He attended the weed board meeting and reported that Rob Schultz will be holding the irrigation and pasture seminar March 1st. This has been well attended in the past. Mr. Schultz will also be attending the National Invasive Weed Seminar in Washington DC.

Lancaster - She stated she attended the CIR hearing in Lincoln.

Arnold – He stated he attended some training in Iowa and he appreciated the opportunity to do so.

Jeffries – He attended the emergency Management meeting. They meet 4 times a year. They discussed purchasing computer.

Rye – He attended the Midland Area Agency on Aging meeting and the City Council Retreat.

Eriksen – He attended the Region III meeting and requested that they attend the February 21 meeting and give an up date o the county board. He also attended the City Council Retreat. He attended a meeting in Wood River regarding the proposed ethanol plant and stated that Hall County may be asked to participate in the construction of a road for the plant. He also reminded the board members of a meeting tonight regarding liquor license permits. The County Board workshop and the NIRMA meeting will be February 8. There will also be a training session on Monday February 13th for all of the supervisors. He also requested that the board members turn in the performance report to Stacey.

NEW OR UNFINISHED BUSINESS – Chairman Eriksen called for new or unfinished business. Hartman reported that there is a problem with the heart at Children's Village. Half of the building does not have heat and this will need to be addressed. Jeffries stated that they have estimate about \$20,000.00 to repair the heating system. They will need bid specs and have to hire an engineer.

Meeting adjourned at 12:35 p.m. The next meeting will be February 21, 2005.

Marla J. Conley Hall County Clerk